

To: Hess, Stephen[Hess.Stephen@epa.gov]
Cc: Madigan, Andrea[Madigan.Andrea@epa.gov]; Feldman, Richard[Feldman.Richard@epa.gov]; Michaud, John[Michaud.John@epa.gov]
From: Sisk, Richard
Sent: Wed 11/18/2015 10:57:23 PM
Subject: RE: Hennis Access

Steve – Thanks for touching base with Mike Northridge, this is very helpful

Richard Sisk
Attorney
U.S. EPA Region 8
ENF-L
1595 Wynkoop
Denver, CO 80202-1129

Phone: 303-312-6638
Fax: 303-312-6409
E-mail: sisk.richard@epa.gov

NOTICE: The information contained in this e-mail is intended only for the use of the recipient(s) named above. This message and any attachments may contain confidential or privileged information. If the reader is not the intended recipient or an agent responsible for delivering it to the intended recipient, you have received this document in error and any review, dissemination, disclosure, distribution, use, or copying of the contents of this message is strictly prohibited. If you have received this communication in error, please notify me immediately by e-mail or telephone and destroy all copies of the original message and any attachments.

From: Hess, Stephen
Sent: Wednesday, November 18, 2015 3:45 PM
To: Sisk, Richard
Cc: Madigan, Andrea; Feldman, Richard; Michaud, John
Subject: RE: Hennis Access

Deliberative Process/Ex. 5

Stephen Hess

U.S. EPA, Office of General Counsel

1200 Pennsylvania Avenue, N.W.

Washington, D.C.

Mail Code: 2399A

Phone: 202-564-5461

From: Sisk, Richard
Sent: Wednesday, November 18, 2015 11:32 AM
To: Hess, Stephen <Hess.Stephen@epa.gov>
Cc: Madigan, Andrea <Madigan.Andrea@epa.gov>
Subject: FW: Hennis Access

Steve – Here is DOJ's comments.

Richard Sisk
Attorney
U.S. EPA Region 8
ENF-L
1595 Wynkoop
Denver, CO 80202-1129

Phone: 303-312-6638
Fax: 303-312-6409
E-mail: sisk.richard@epa.gov

NOTICE: The information contained in this e-mail is intended only for the use of the recipient(s) named above. This message and any attachments may contain confidential or privileged information. If the reader is not the intended recipient or an agent responsible for delivering it to the intended recipient, you have received this document in error and any review, dissemination, disclosure, distribution, use, or copying of the contents of this message is strictly prohibited. If you have received this communication in error, please notify me immediately by e-mail or telephone and destroy all copies of the original message and any attachments.

From: Moscato, John (ENRD) [<mailto:John.Moscato@usdoj.gov>]
Sent: Tuesday, November 17, 2015 11:52 AM
To: Sisk, Richard; Madigan, Andrea

Cc: Bohan, Suzanne; Land, Kelcey; Brook, Bob (ENRD)
Subject: RE: Hennis Access

Work Product / Attorney Client Privilege – Do not Produce

Andrea & Richard:

Attorney Client/Ex. 5

Attorney Client/Ex. 5

Let me know when you can chat.

Regards,

John N. Moscato

Senior Counsel

Environment and Natural Resources Division,

Environmental Enforcement Section

United States Department of Justice

999 18th Street, South Terrace - Suite 370

Denver, CO 80202

Email: john.moscato@usdoj.gov

Telephone: (303) 844-1380

Facsimile: (303) 844-1350

CONFIDENTIALITY NOTICE: This e-mail, including all attachments, is for the sole use of the intended recipients. Any unauthorized use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: Sisk, Richard [mailto:Sisk.Richard@epa.gov]
Sent: Tuesday, November 17, 2015 8:57 AM
To: Madigan, Andrea <Madigan.Andrea@epa.gov>
Cc: Moscato, John (ENRD) <JMoscato@ENRD.USDOJ.GOV>; Bohan, Suzanne <bohan.suzanne@epa.gov>; Land, Kelcey <Land.Kelcey@epa.gov>; Urdiales, Aaron <Urdiales.Aaron@epa.gov>; Rudy, Michael <Rudy.Mike@epa.gov>; McCaffrey, Shawn <Mccaffrey.Shawn@epa.gov>
Subject: RE: Hennis Access

Andrea – Here is a redrafted consent.

Deliberative Process/Ex. 5

Deliberative Process/Ex. 5

I am fine with your edits on the email.

Richard Sisk
Attorney
U.S. EPA Region 8
ENF-L
1595 Wynkoop
Denver, CO 80202-1129

Phone: 303-312-6638
Fax: 303-312-6409
E-mail: sisk.richard@epa.gov

NOTICE: The information contained in this e-mail is intended only for the use of the recipient(s) named above. This message and any attachments may contain confidential or privileged information. If the

reader is not the intended recipient or an agent responsible for delivering it to the intended recipient, you have received this document in error and any review, dissemination, disclosure, distribution, use, or copying of the contents of this message is strictly prohibited. If you have received this communication in error, please notify me immediately by e-mail or telephone and destroy all copies of the original message and any attachments.

From: Madigan, Andrea
Sent: Tuesday, November 17, 2015 8:49 AM
To: Sisk, Richard
Cc: John Moscato
Subject: RE: Hennis Access

Hi Richard – here are my suggested changes.

On the consent to access form:

Deliberative Process/Ex. 5

On the email to David Cook:

Deliberative Process/Ex. 5

Again, because time is short, EPA requests that you provide us an answer by Friday November 20th on whether Mr. Hennis will agree to consent for access as set out in the attached form.

Andrea Madigan

CERCLA Supervisory Attorney

Legal Enforcement Program

U.S. EPA Region 8

1595 Wynkoop Street

Denver, Colorado 80202

(303) 312-6904

From: Sisk, Richard

Sent: Monday, November 16, 2015 5:59 PM

To: Madigan, Andrea; John Moscato (John.Moscato@usdoj.gov); Bohan, Suzanne

Cc: Land, Kelcey; Urdiales, Aaron; Rudy, Michael; McCaffrey, Shawn; Way, Steven

Subject: Hennis Access

All – Below is a response to Cook on the conditions and a redrafted consent.

Dave – Thanks for securing Mr. Hennis' signature on the short term consent for access so

Deliberative Process/Ex. 5

Deliberative Process/Ex. 5

Again, because time is short, EPA requests that you provide us an answer by Friday November 20th on whether Mr. Hennis will agree to consent for access as set out in the attached form.

Richard Sisk
Attorney
U.S. EPA Region 8
ENF-L
1595 Wynkoop
Denver, CO 80202-1129

Phone: 303-312-6638
Fax: 303-312-6409
E-mail: sisk.richard@epa.gov

NOTICE: The information contained in this e-mail is intended only for the use of the recipient(s) named above. This message and any attachments may contain confidential or privileged information. If the reader is not the intended recipient or an agent responsible for delivering it to the intended recipient, you have received this document in error and any review, dissemination, disclosure, distribution, use, or copying of the contents of this message is strictly prohibited. If you have received this communication in error, please notify me immediately by e-mail or telephone and destroy all copies of the original message and any attachments.